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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

Charles Baird et al.,

Plaintiffs,

v.

BlackRock Institutional Trust Company,  
N.A., et al.,

Defendants.

Case No: 17-cv-1892-HSG

**STIPULATION AND ORDER TO MODIFY  
CASE SCHEDULE**

Pursuant to Northern District of California Local Rule 6-2, Plaintiffs Charles Baird and Lauren Slayton and Defendants Anne Ackerley, BlackRock Institutional Trust Company, N.A., Blackrock, Inc., Catherine Bolz, Chip Castille, Paige Dickow, Daniel A. Dunay, Any Engel, Nancy Everett, Joseph Feliciani, Jr., Michael Fredericks, Corin Frost, Daniel Gamba, Kevin Holt, Chris Jones, Philippe Matsumoto, John Perlowski, Ann Marie Petach, Andy Phillips, Kurt Schansinger, Tom Skrobe, Jeffrey A. Smith, the BlackRock, Inc. Retirement Committee, and the Investment Committee of the Retirement Committee (collectively, the “Defendants”) by and through their respective counsel, stipulate and agree to the following:

1. On July 26, 2017, the parties filed a stipulation proposing a case schedule (ECF No. 54). On August 3, 2017, the Court granted this stipulation and adopted the parties’ proposed case schedule. ECF No. 62.

Case No: 17-cv-1892-HSG: STIPULATION AND ORDER TO MODIFY CASE SCHEDULE

- 1 2. With Defendants' consent, Plaintiffs filed an Amended Complaint on October 18,  
2 2017 (ECF No. 75), which Defendants moved to dismiss on November 8, 2017 (ECF  
3 No. 79). The parties completed briefing on Defendants' motion to dismiss the  
4 Amended Complaint on December 22, 2017. ECF No. 92. Plaintiffs also filed a  
5 motion for relief under Federal Rule of Civil Procedure 56(d) on December 8, 2017  
6 (ECF No. 85), and the parties completed briefing on this motion on January 4, 2018  
7 (ECF No. 94). The parties understand that the Court has taken these motions under  
8 submission and will issue a written order. ECF No. 100.
- 9 3. Concurrently with the parties' briefing on Defendants' motion to dismiss and  
10 Plaintiffs' Rule 56(d) motion, the parties have been actively engaged in fact  
11 discovery. Horwitz Decl. ¶ 7. This fact discovery is still ongoing. *Id.*
- 12 4. The parties have conferred and have agreed that the existing case schedule does not  
13 appropriately account for the developments that have arisen in this case since July 26,  
14 2017, including those described in paragraphs 2 and 3, above. *Id.* ¶ 9. The parties  
15 therefore stipulate and agree to the following modified case schedule:  
16

Event	Deadline
Substantial completion of document production	March 30, 2018
Deadline to amend pleadings	April 23, 2018
Close of all fact discovery (with limited exceptions as noted below)	June 22, 2018
Parties exchange any expert reports on class issues	July 6, 2018
Parties exchange any expert rebuttal reports on class issues	August 5, 2018
Close of expert discovery on class issues	August 31, 2018
Plaintiffs file motion for class certification	September 14, 2018
Defendants file opposition to motion for class certification	October 15, 2018
Plaintiffs' reply in support of motion for class certification	October 30, 2018
Court issues class cert opinion (limited post-certification fact discovery on merits issues reopens)	TBD
Parties exchange expert reports on merits issues	30 days after class cert opinion is issued
Close of limited post-certification fact discovery on merits issues	45 days after class cert opinion is issued

Event	Deadline
Parties exchange rebuttal expert reports on the merits	30 days after parties exchange expert reports on merits issues
Close of expert discovery	14 days after parties exchange rebuttal expert reports on merits issues

5. The parties have not requested any previous modification to the case schedule.
6. There have been six previous time adjustments in this matter, none of which affected discovery or the trial date and each of which related to the motion to dismiss the original complaint and its hearing schedule. (ECF Nos. 28, 38, 48, 55, 82, 88.)
7. A declaration from Julia A. Horwitz, setting forth the reasons for the parties' request, is attached hereto as Exhibit A.

Dated: February 1, 2018

**COHEN MILSTEIN SELLERS & TOLL, PLLC**

By:

/s/ Nina Wasow  
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21 ***Attorneys for Defendants***

22 **ATTESTATION**

23 I attest that for all conformed signatures indicated by an “/s/,” the signatory has concurred in  
24 the filing of this document.

25 Dated: February 20, 2018


26 By: /s/ Nina Wasow

27 Nina Wasow

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Dated: February 20, 2018, 2018

  
Judge Haywood S. Gilliam, Jr.  
U.S. District Court for the  
Northern District of California